



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/788,500

02/21/2001

Guillermo Lao

111325-40

6754

22204

7590

02/20/2007

NIXON PEABODY, LLP

401 9TH STREET, NW

SUITE 900

WASHINGTON, DC 20004-2128

EXAMINER

ALLEN, WILLIAM J

ART UNIT

PAPER NUMBER

3625

MAIL DATE

DELIVERY MODE

02/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|--------------------------|------------------|--------------|--|
| Interview Summary | Application No. | Applicant(s) | |
| | 09/788,500 | LAO ET AL. | |
| | Examiner | Art Unit | |
| | William J. Allen | 3625 | |

All participants (applicant, applicant's representative, PTO personnel):

- (1) William J. Allen. (3) Mark Kauffman.
 (2) Jessica Egner. (4) _____.

Date of Interview: 14 February 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: 147.


Identification of prior art discussed: n/a.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

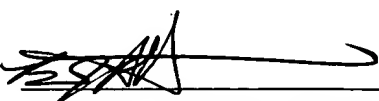
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 MATTHEW S. GART
 PRIMARY EXAMINER
 TECHNOLOGY CENTER 3600

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed the Examiner's rejection of claim 147 with respect to the limitations "upon receiving..." and "upon said publishing..." as conditional limitations. The Examiner noted In re Johnston, 77 USPQ2d 1788 (CA FC 2006). It was also noted that amendments presented after final that effectively required further search and consideration would not be entered. Finally, the Examiner noted the possibility that aoutomation of a known process may be applicable [see both In re Venner, 120 USPQ 192 (CCPA 1958), In re Smith, 73 USPQ 394 and In re Venner, 120 USPQ 192 (CCPA 1958)In re Rundell, 9 USPQ 220].